

# In the Supreme Court of the State of Alaska

**David Dirkes,**

Appellant,

v.

**Marissa Dirkes,**

Appellee.

Supreme Court No. **S-17907**

## **Opening Notice**

Appellate Rule 218

Date of Notice: **11/12/2020**

Trial Court Case No. **3AN-16-05779CI**

1. On 10/15/2020, Appellant filed an appeal of Judge Morse's final order distributed on 9/30/2020. The filing fee and cost bond were paid today. Attorneys whose names and addresses are correct on this notice need not file an entry of appearance. All documents filed by a party who is not represented by counsel shall include an address at which that party can be served. The caption in this case will be as shown above.

2. In accordance with Appellate Rule 204(g), all parties to the trial court proceedings when the final order was entered are parties to the appeal. A party who files a notice of appeal, whether separately or jointly, is an Appellant under these rules. All other parties are deemed to be Appellees, regardless of their status in the trial court. An Appellee may elect at any time not to participate in the appeal by filing and serving a notice of non-participation.

3. The notice of completion of preparation of file is due from the Appellate Court Records Office (ACRO) on or before **12/14/2020**. Please transmit all trial court exhibits. The record in this appeal will include only the documents and proceedings in the trial court case referenced above. If either party believes that the record should contain documents or proceedings from any other related case, that party should file an appropriate motion.

4. If transcripts are not being prepared at public expense, it is the responsibility of the Appellant's transcriber to ensure that all transcripts designated by any party are received by the court on or before **12/14/2020**. The Appellant's transcriber must file one unbound condensed copy and an electronic version of the transcript in the form and format prescribed by the Manual of Transcript Procedures. The manual is available at: <https://public.courts.alaska.gov/web/forms/docs/tf-410.pdf>.

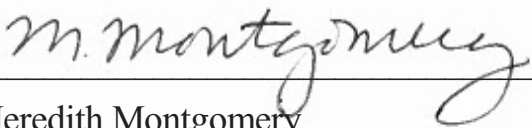
5. All parties should be aware of the provisions of Rule 512.5(a) and (b)(1) in submitting pleadings and other paperwork in this case. In all CINA appeals and domestic relations cases that were confidential in the superior court, the excerpt of record must be submitted in a confidential envelope.

6. If required by Appellate Rule 512.5(b)(2), all parties are directed to submit all briefs and future appellate pleadings using the children's/parents' initials, or pseudonyms, instead of their full names.

7. In accordance with Appellate Rule 218(i) and 503.5(b)(3)(a), no routine motions for extensions of time may be filed. All motions shall comply with Appellate Rule 503.5(c) and should indicate whether or not an opposition is expected.

8. This case is exempt from the settlement discussion requirement under Appellate Rule 221. **Appellant must file the form notice/certificate enclosed by 12/14/2020, however, Part 3 need not be completed.**

Clerk of the Appellate Courts

  
Meredith Montgomery

cc: Judge Morse

ACRO

Distribution:

Email:

Dirkes, David

Dirkes, Marissa

# In the Supreme Court of the State of Alaska

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## Notice/Certificate

Appellate Rule 221

Trial Court Case No. **3AN-16-05779CI**

### NOTICE/CERTIFICATE REQUIRED BY APPELLATE RULE 221

#### Part 1. Trial Court Settlement History.

1. Did the parties attempt settlement at the trial court level?  
☐ yes (answer questions 2-5)  
☐ no (skip to Part 2)
2. What form(s) did the settlement discussions take? (Check all that apply)  
☐ informal discussions  
☐ negotiations led by private neutral (e.g., mediator)  
name of private neutral: \_\_\_\_\_  
☐ settlement conference with judge  
name of judge: \_\_\_\_\_  
☐ other  
describe: \_\_\_\_\_
3. Who was involved in the settlement discussions? (Check all that apply)  
☐ counsel for all parties  
☐ all clients  
☐ other  
describe: \_\_\_\_\_
4. How long did the settlement discussions take?  
\_\_\_\_\_  
\_\_\_\_\_

5. What was the outcome of the settlement discussions at the trial court level?
- ☐ parties reached agreement on one or more issues or claims
  - ☐ case settled as to some parties, but not all parties
  - ☐ issues were narrowed
  - ☐ no issues or claims were narrowed or resolved

**Part 2. Pro Se Party Involvement.**

- ☐ Indicate here if no appellate settlement discussion took place because one or more parties are unrepresented by counsel and therefore the provisions of Appellate Rule 221 do not apply. If the box in this section **is** checked, the appellant should sign below:

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

If the box in this section is **not** checked, the attorneys must complete Part 3.

**Part 3. Certificate of Appellate Settlement Discussion.**

By signing below, each attorney certifies that the attorneys have discussed settlement after the filing of the appeal as required by Appellate Rule 221, and that the attorney's client(s) had knowledge of the settlement discussion.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**FILE THIS ORIGINAL PLUS ONE COPY WITH THE COURT.**